

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Todd D. Gatts
Application No.: 10/661,015
Filed: September 12, 2003
For: Methods, Devices and Computer Program Products for Changing Time Intervals o the
Occurrence of Audio Information from Local and Remote Sites

Confirmation No.: 6792
Group Art Unit: 2615
Examiner: Devona E. Faulk

June 29, 2007

MS AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE

Sir:

This response is submitted in reply to the Official Action mailed May 15, 2007. If any extension of time for the accompanying response or submission is required, Applicant requests that this be considered a petition therefor. The Commissioner is hereby authorized to charge any additional fee, which may be required, or credit any refund, to our Deposit Account No. 09-0457.

Applicant appreciates the further examination evidenced by the Official Action mailed May 15, 2007 (hereinafter the Official Action). Applicant also appreciates the continued allowance of Claims 7-12, 17, and 18. *Official Action, page 4.*

The only issues for discussion herein are the rejection of Claims 19-30 under § 101 and the rejection of Claims 1-6, 13-16 and 19-23 under 35 U.S.C. § 112, second paragraph. Applicant has addressed these rejections below in the order presented in the Official Action.

Claims 19-30 comply with § 101 as written.

Claims 19-30 stand rejected under 35 U.S.C. § 101. *Official Action, page 2.* Further, the Official Action appears to suggest that the claims should be amended to recite, for example, "a computer readable medium encoded with... a computer program, software, and computer executable instruction." *Official Action, page 4.*

In response, Applicant respectfully notes that independent Claim 19 already recites language which is equivalent to that suggested in the Official Action:

A computer program product for processing audio information for broadcast to an audience comprising:

a computer readable medium having computer readable program code embodied therein, the computer readable program product comprising:

computer readable program code configured to change first audio information from occurring in a first time interval to occurring in a second time interval to provide time-changed audio information; and

computer readable program code configured to combine the time-changed audio information with second audio information that is responsive to the first audio information to provide broadcast audio information wherein the time-changed audio information occurs closer in time to the second audio information than the first audio information.

Applicant respectfully submits that the above highlighted recitations in Claim 19 of a computer readable medium having computer readable program code embodied therein is in compliance with 35 U.S.C. § 101, and moreover, these recitations are equivalent to the language suggested by the Official Action. Accordingly, Applicant respectfully requests the withdrawal of all rejections under § 101 for at least these reasons.

The Claims comply with § 112

Claims 1-6, 13-16 and 19-23 stand rejected under 35 U.S.C. § 112, second paragraph. *Official Action, page 4.* In particular, the Official Action alleges that the specification discloses on page 7, line 14-page 8 that time expanding audio information to produce time changed audio information does not support the recitations of the amended independent claims. Applicant respectfully traverses the rejection as the language of the amended claims is supported by the specification, and is not ambiguous.

Independent Claim 1 recites in part:

A method of processing audio information for broadcast to an audience comprising:

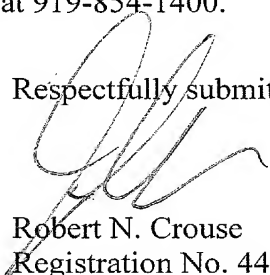
changing first audio information from occurring in a first time interval to occurring in a second time interval to provide time-changed audio information; and

combining the time-changed audio information with second audio information that is responsive to the first audio information to provide broadcast audio information **wherein the time-changed audio information occurs closer in time to the second audio information than the first audio information.**

Applicant respectfully directs the Examiner's attention to Figures 1B and 1C of Applicant's disclosure, which illustrate, in some embodiments according to the invention, how broadcast audio information includes time-expanded audio information that is expanded to occupy at least a portion of the time interval associated with the propagation delay of the local audio information to the remote site (and the propagation delay associated with the transmission of the remote audio information from the remote site back to the local site). Further, the time-expanded audio information is shown in Figure 1C as occurring, in-part, during the time interval that is greater than the interval in which the unprocessed local audio information occurs in Figure 1B.

Accordingly, the audio information that represents the local audio occurs closer in time to the audio from the remote location. For example, the portion of Figure 1C illustrates the time-expanded audio information including delay of Δt_3 compared to Figure 1B due to the time expansion of the local audio information. Applicant respectfully submits that the independent Claims do comply with 35 U.S.C. § 112, second paragraph as the claims clearly recite that the time-changed audio information is closer in time to the second audio information than the first audio information. Accordingly, Applicant respectfully requests the withdrawal of these rejections for at least these reasons. If any informal matters arise the Examiner is encouraged to contact the undersigned by telephone at 919-854-1400.

Respectfully submitted,

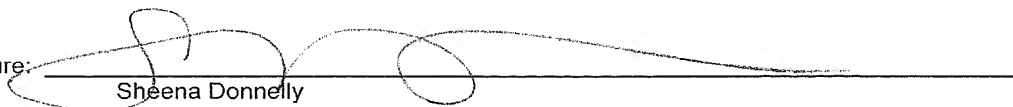

Robert N. Crouse
Registration No. 44,635

Myers Bigel Sibley & Sajovec, P.A.
P. O. Box 37428
Raleigh, North Carolina 27627
Telephone: (919) 854-1400
Facsimile: (919) 854-1401
Customer Number 46590

CERTIFICATION OF TRANSMISSION

I hereby certify that this correspondence is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4) to the U.S. Patent and Trademark Office on June 29, 2007.

Signature: _____


Sheena Donnelly